

Executive Department

State of California

EXECUTIVE ORDER W-189-99

WHEREAS, the California Emergency Services Act provides for the suspension of any regulation or statute prescribing the conduct of state business, or the orders, rules or regulations of any state agency where the Governor determines and declares that strict compliance with any statute, order, rule or regulation would in any way prevent, hinder or delay the mitigation of the effects of the emergency; and

WHEREAS, the California Emergency Services Act requires that all orders and regulations made in advance of a state of war emergency or state of emergency shall be subject to approval of the California Emergency Council; and

WHEREAS, the following order made in advance of a state of emergency, as set forth herewith, was approved by the California Emergency Council at their meeting of November 21, 1997;

NOW, THEREFORE, I, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, and in accordance with provisions of the California Emergency Services Act, do hereby promulgate, issue, and establish the following order and regulation, which, during a state of emergency, is hereby determined necessary because strict compliance with the existing statutes and regulations would delay the mitigation of the effects of the emergency during the period of such state of emergency. This order shall become effective upon proclamation of a state of emergency. Prior to being implemented outside of a proclaimed area, the Director, Governor's Office of Emergency Services, shall consult with local authorities of such designated areas.

ORDER 9

It is hereby ordered pursuant to Sections 8571 and 8614 of the Government Code that those statutes, regulations, or ordinances governing the siting of portable cellular (wireless) equipment and facilities shall be temporarily suspended in the areas proclaimed to be in State of Emergency. During the interim period of suspension, the siting of portable cellular (wireless) equipment and facilities shall be subject to approval and control of the Director, Office of Emergency Services. The Director's actions in that regard shall be valid and in effect during the proclaimed State of Emergency, unless said actions are terminated sooner.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second of January 1999.

Governor of California

ATTEST:

Secretary of State